



06-11-03

RCE/3761

PTO/SB/30 (05-03)  
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## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/865,995
Filing Date	May 25, 2001
First Named Inventor	Brian M. Franke
Art Unit	3761
Examiner Name	Mendoza, Michael G.
Attorney Docket Number	5614.06

#13  
DR  
7/16/03

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- ii. ☐ Other
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☐ Other

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2. **Miscellaneous**

- a. ☒ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of 3 months (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other
- b. ☒ Check in the amount of \$ 505.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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01 FC:2601 375.00 OP  
02 FC:1450 130.00 OP

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	James A. Pinto	Registration No. (Attorney / Agent)	40,774
Signature	<i>James A. Pinto</i>	Date	June 10, 2003

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

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Signature			

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT  
Attorney Docket No. 5614.06  
Express Mail Label No. EV156970600US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Brian M. Frankie et al.

Application No.: 09/865,995

Filed: May 25, 2001

For: NITROUS OXIDE BASED OXYGEN  
SUPPLY SYSTEM

Group Art Unit: 3761

Examiner: Mendoza, M. G.

CERTIFICATE OF MAILING BY EXPRESS MAIL

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Alexandria, VA 22313-1450

Sir:

The undersigned hereby certifies that the enclosed

1. Request for Continued Examination (RCE) Transmittal and request for limited suspension of action under 37 C.F.R. 1.103(c);
2. Check in the amount of \$505.00;
3. Certificate of Mailing by Express Mail; and
4. Return card,

relating to the above application, were deposited as "Express Mail," Mailing Label No. EV156970600US with the United States Postal Service, addressed to MAIL STOP RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on this 10th day of June 2003.

June 10, 2003

\_\_\_\_\_  
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June 10, 2003

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James A. Pinto, Registration No. 40,774  
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